



City Council
Atlanta, Georgia

04-0-1141

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-57
5-11-04

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA
as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **2001 Marietta Road, N.W.** be changed from the **I-1 (Light Industrial)** District to the **PD-H (Planned Development-Housing)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **229** of the **17th** District of **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

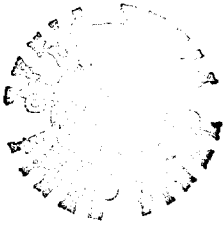
SECTION 4. That all ordinance or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Daughtrie Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

AUG 16, 2004
AUG 20, 2004



Conditions for Z-04-57

1. Site plan entitled "A Preliminary Subdivision Plat of Dupont Commons – Phase II, City of Atlanta, Georgia prepared by HDR Engineering, Engineers, Surveyors, Planners, dated January 13, 2003, last revised June 29, 2004 and marked received by the Bureau of Planning July 1, 2004.
2. Notwithstanding the requirements set forth on the above referenced site plan, this development is subject to all applicable requirements of the City of Atlanta Tree Preservation Ordinance. Any conflict between the Ordinance and the requirements of the above referenced site plan shall be resolved by the City Arborist in favor of the most restrictive standard.

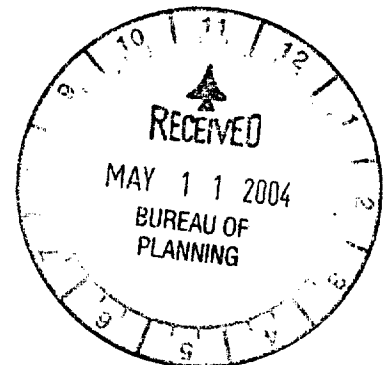


EXHIBIT "A"
(Legal Description)

All that parcel of land lying or being in Land Lot 229, 17th District, City of Atlanta, Fulton County, Georgia, and more particularly described as follows:

BEGINNING at the intersection of the northerly right-of-way of Marietta Road (40-foot right-of-way) and the southeasterly right-of-way of Atlanta Water Works Railroad (40-foot right-of-way); thence along the northerly right-of-way of Marietta Road a curve to the left having a radius of 580.47 feet, an arc length of 389.57 feet and subtended by a chord bearing South 66°02'13" East a distance of 382.30 feet to a point; thence continuing along Marietta Road a curve to the left having a radius of 1,903.21 feet, an arc length of 278.14 feet and subtended by a chord bearing of North 86°32'59" East a distance of 277.89 feet to a point; thence continuing along Marietta Road a curve to the right having a radius of 281.06 feet, an arc length of 58.87 feet and subtended by a chord bearing of South 89°32'04" East a distance of 58.76 feet to an iron pin set; thence leaving the right-of-way of Marietta Road North 13°58'03" East a distance of 136.68 feet to an iron pin set; thence along a curve to the right having a radius of 200.00 feet, an arc length of 140.69 feet subtended by a chord bearing of North 34°07'10" East a distance of 137.80 feet to an iron pin set; thence North 54°16'16" East a distance of 41.63 feet to a power pole; thence North 48°59'40" East a distance of 71.62 feet to an iron pin found; thence North 38°00'33" West a distance of 421.08 feet to an iron pin found; thence North 45°53'41" East a distance of 227.53 feet to an iron pin found; thence North 74°32'07" West a distance of 200.03 feet to an iron pin found; thence South 17°25'34" West a distance of 41.70 feet to an iron pin found; thence North 52°00'14" West a distance of 226.03 feet to an iron pin found; thence along a curve to the right having a radius of 844.84 feet, an arc length of 143.83 feet subtended by a chord bearing of South 44°55'20" West a distance of 143.83 feet to a point; thence along a curve to the left having a radius of 929.48 feet, an arc length of 113.65 feet subtended by a chord bearing of South 42°43'01" West a distance of 113.58 feet to a point; thence South 38°34'17" West a distance of 163.75 feet to a point; thence along a curve to the left having a radius of 508.37 feet, an arc length of 71.13 feet subtended by a chord bearing South 35°00'06" West a distance of 71.07 feet to a point; thence along a curve to the left having a radius of 556.40 feet, an arc length of 183.10 feet subtended by a chord bearing South 20°45'07" West a distance of 182.27 feet to a point; thence along a curve to the left having a radius of 1,035.37 feet, an arc length of 281.46 feet subtended by a chord bearing South 03°45'21" East a distance of 280.59 feet to a point and the POINT OF BEGINNING, and being depicted on that certain boundary survey prepared for Marietta Street Investments, LLC and Regions Bank by C&C Land Surveyors Incorporated and Anastasios Costarities, RLS No. 2448, dated February 13, 2002.

Said parcel of land containing 577.311 square feet, or 13.253 acres of land, more or less.



2-04-57

RCS# 5939
8/16/04
2:57 PM

Atlanta City Council

Regular Session

MULTIPLE 04-O-0623 04-O-0759 04-O-1134 04-O-0798
 04-O-1136 04-O-1141
 ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

04-0-1141

(Do Not Write Above This Line)

First Reading

Committee 2004-05-20-2004
Date 2004-05-20-2004
Chair Mayor's Council
Referred To 2004-05-20-2004

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
AUG 16 2004

ATLANTA CITY COUNCIL PRESIDENT

John D. Fisher

AN ORDINANCE TO REZONE FROM THE I-1
BY: ZONING COMMITTEE Z-04-57

(LIGHT INDUSTRIAL) DISTRICT TO THE
PD-H (PLANNED DEVELOPMENT-HOUSING)
DISTRICT, PROPERTY LOCATED AT 2001
MARIETTA ROAD, N.W., FRONTING
726.58 FEET ON THE NORTHERLY SIDE
OF MARIETTA ROAD BEGINNING AT THE
INTERSECTION OF THE NORTHERLY
RIGHT-OF-WAY OF MARIETTA ROAD WITH
THE SOUTHEASTERLY RIGHT-OF-WAY OF
THE ATLANTA WATER WORKS RAILROAD.
DEPTH: VARIES; AREA: 13.253
ACRES; LAND LOT 229, 17TH DISTRICT,
FULTON COUNTY, GEORGIA.
OWNER: MARIETTA STREET
INVESTMENTS, LLC
APPLICANT: BROCK BUILT, LLC
BY: ROBERT L. ZOECKLER, ATTNV
NPU-D COUNCIL DISTRICT 9

ADOPTED BY

AUG 16 2004

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred 6/21/04
Referred To: ZRB + Zoning
Date Referred
Referred To:
Date Referred
Referred To:

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

MAYOR'S ACTION

AUG 20 2004

Mayor's Council
MAYOR